

REMARKS

In response to the objection to the drawings that is made on pages 2 and 3 of the Office Action, claim 30 has been cancelled.

In response to the rejection of claim 23 under 35 USC 112, "such as a coil spring" has been deleted from claim 23, and a coil spring has been recited in new claim 36, which is dependent on claim 23.

Reconsideration of the rejection of claims 18 and 19 under 35 USC 102 on the ground that all of their subject matter is disclosed in the Persson reference (US 2,311,413) is respectfully requested. The Persson reference is thoroughly discussed in the specification of the present application, specifically, in the paragraph bridging pages 2 and 3. First, it is noted that the term "releasable engagement" of independent claim 18 has as its counterpart in Persson the detachable connection of flap member 13 to the sash or frame by means of for instance screws 14 (col. 2, lines 20-26). This entails that the Persson screen is encumbered with the disadvantage of restricting the movement of the sash, and it is hence not possible to attain one of the objects of the present invention, i.e., a minimum influence on the functioning of the window (page 4, lines 24-27).

It can be appreciated from the specification and drawings of the present application, that the term "releasable engagement" of independent claim 18 means something other than the screws of the Persson screen, which require the involvement of a means external to the screen to manipulate the screws 14 to free the screen from the frame or sash. The meaning of "releasable engagement" in the present application can be appreciated from, for example, page 11, lines 19-32 of the specification, which describe the screening element 13 of Fig. 2 as a flap, which may be connected to the sash by a hinge 13a. The screening element 13 may be allowed to hang

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freely from the sash under influence of gravity only. However, the screening element 13 may be preloaded in the direction of the sash, e.g., by a coil spring. Furthermore, the flap 13 may, e.g., be connected with the sash bottom member 9 by means of one or more magnets, or other suitable non-permanent connection means.

In addition, as is described at page 14, lines 5-28, common to the embodiments shown in FIGS. 2-4 is that the screening element 13, 23, 33 only covers the opening between the sash and frame up to a limited opening angle of the sash, i.e. in a ventilating position of the window, whereas the screening element disengages from one of the frame or sash members when the opening angle of the sash exceeds this limited opening angle. This is illustrated in FIG. 5, which corresponds to the embodiment of FIG. 2, where the sash is tilted past the limited opening angle. In this position, the flap constituting the screening element 13 in this embodiment is disengaged from the bottom frame member 4, and preferably pivoted to a storage position in abutment with the inner surface 9a underneath the sash bottom member 9, as shown. The flap may be preloaded towards said storage position, such that the flap will automatically pivot to this storage position when the sash is tilted past the limited opening angle. Alternatively, the flap may be pivoted and fixed in the storage position manually, or the flap may be allowed to hang from the sash bottom member 9.

Furthermore, as is described at page 14, line 29 – page 15, line 22, FIG. 6 corresponds to the embodiment of FIG. 3, however in a closed position of the window. The end of the screening element 23 is connected to the frame bottom member 4 by an engagement means 26, such as any kind of releasable snap lock, Velcro or a magnet.

In order to more clearly define the difference between the "releasable engagement"

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feature of independent claim 18 and the screws 14 of Persson, by the present Amendment, "releasable engagement" has been changed to "self-releasable engagement" in independent claim 18. The screws 14 of Persson more clearly do not put the screen 7 in self-releasable engagement with a corresponding frame or sash member.

Independent claim 18 also recites that the at least one screening element is provided exclusively at the top and/or bottom member of the sash and the frame. It can be appreciated from, for example, the drawing figures of the present application that the screening element, for example, 13, 23, 33, is, in the words of claim 18, "provided exclusively at the top and/or bottom member of the sash and the frame". No such screening element is provided at any side member of the sash and the frame.

In contrast, the screen member 7 referred to by the Examiner in Persson is provided at side members of the sash and the frame. Persson discloses two embodiments, one of which is a bottom-hung window having a screening constituted by three screening elements: one substantially rectangular portion at the top members of the sash and frame, and two substantially triangular portions at the side members of the sash and frame. The other embodiment (Fig. 14) discloses a center-hung window having a rectangular portion at each of the respective top and bottom, and two sets of bellow-shaped portions at the sides. There is no mention or hint whatsoever of providing a screening element exclusively at the top member or at the bottom member. Consequently, it is not possible to achieve with the arrangement of Persson the surprising advantage of the invention - obtaining acceptable ventilation with a minimum intervention into the sash and frame structure and with a reduced expenditure with respect to material and manufacturing conditions.

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Reconsideration of the rejection of claims 20-23 under 35 USC 103 as being obvious over the Persson reference in view of the MacDonald reference also is respectfully requested. Claims 20-23 depend, at least ultimately, on independent claim 18. The MacDonald reference fails to overcome the deficiencies of the Persson reference with respect to claim 18 that were described above. In fact, with respect to the feature of claim 18 that the screening element is “provided exclusively at the top and/or bottom member of the sash and the frame,” MacDonald reinforces the deficiencies of the Persson reference that screen members 4 are provided at side members of the sash and the frame.


Reconsideration of the rejection of claims 31-34 under 35 USC 103 as being obvious over the Persson reference in view of the Camara reference also is respectfully requested. Claims 31-34 depend, at least ultimately, on independent claim 18. The Camara reference fails to overcome the deficiencies of the Camara reference with respect to claim 18 that were described above. In fact, Camara reinforces the deficiencies of the Persson reference that screen portions 17a, 17c are provided at side members of the sash and the frame.

In view of the foregoing, it is submitted that all of the claims are allowable and that the application is in condition for allowance. An early notice to that effect is respectfully requested.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney’s Deposit Account No. 50-0562.

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Respectfully submitted,


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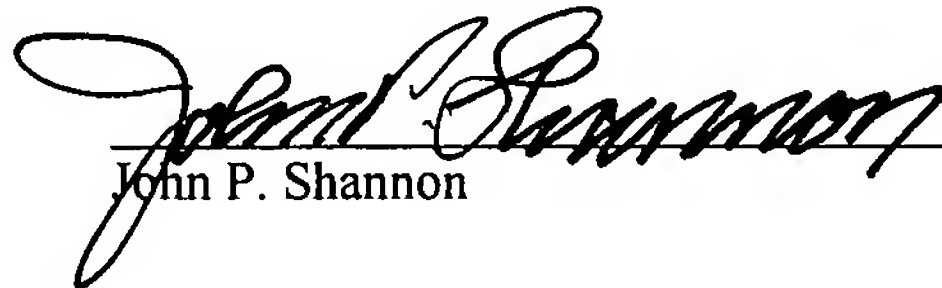
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